LAVVES AND ORDERS OF WARRE.

1641.

Eſtabliſhed

FOR THE GOOD CONDUCT OF THE SERVICE OF IRELAND.

C R

DUBLIN.

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Ann Dom. 1641

BY THE LIEVTENANT GENERALL.

Lawes and Orders of Warre. eſtabliſhed for the good Couduct of the Service of *Ireland*

IAMES Farle of Ormond and Oſſory, Lord Viſcount *Thurles*, Lord Baron of *Arſlo*, Lieutenant Generall of his Majeſties Forces, and one of the Lords of his Majeſties moſt Honourable Privie Councell in *Ireland*.

To all Officers of the Armie, Colonells, Lieutenant Colonells, Sergeant Majors, Captaines, other Officers, and Souldiers of Horſe and Foot. And all His Majeſties Subjects, and others, whom theſe Lawes and Orders enſuing ſhall concerne: which Lawes and Orders hereby publiſhed nnder my hand, I require all the ſaid Perſons reſpectively, and ſeverally in this Armie, or Kingdome, to obſerve and keepe, on the paines and penalties, as by theſe preſents are exprteſſed.

Firſt, I doe ſtraitly charge and command all Com- *Prayers to be frequented.*

Commanders, and Officers of the Armie, to see that Almightie GOD be duely, and reverently served, That Sermons, Morning and Evening Prayer be diligently frequented, And those that often, and wilfully, absent themselves be duely punished.

Blasphemy. 2. Let no man speake impiously and Maliciously against the Holy and Blessed *Trinity*, or any of the Three Persons, *God the Father, God the Sonne, and God the Holy Ghost*, or against the knowne Articles of the Christian Faith, upon

Heresie. paine of death.

Profanation. 3. No man shall take Gods Holy Name in vaine, or use unlawfull Oaths or Execrations, or commit any scandalous act, to the derogation of Gods Honour, upon paine of the losse of his pay, Imprisonment, and such further punishment as a Marshall Court shall thinke his offence deserves.

Trayterous words. 4. No man shall use any Trayterous words against his Majesties Sacred Person, or Royall Authoritie, upon paine of Death.

Disobedience 5. No man shall offer any violence against, or contemptuously disobey his Commander: or do any Act, or speak any Words which are like to breed any Mutiny in the Army, or Garrison or

Mutiny. impeach the Generall, Lieutenant Generall, or Principall Officers directions, on paine of death.

Not repairing to the Rendezvous 6. No man shall wilfully, or thorow grose Ignorance, faile in comming to the Rendezvous, or Garrison assigned to him by the Lieutenant Generall,

Generall, or other Principall Officer, that commands the Armie, upon Paine of death.

7. No Captaine, Officer, or Souldier of Troope, or Company, on their March thorow any Countrey under His Majesties obedience, going to any Garrison, or place of Service, shall upon any pretence of want whatsoever, Commit any Waste, Spoile, or Violence, or extort any Victualls, Money, or Pawn in view of Victuall, from any good Subject whatsoever, but shall content themselves with meat and drink competent, paying the usuall and accustomed rates for the same, upon paine of death. But, if in time of open Action, by occasion of any March thorow the Countrey the Souldier shall be in want, Then the Officer, shall seeke and provide such diet and lodging for them as shall be thought fit, at reasonable Rates heretofore accustomed, for the which, the Captaine, or Officer, shall give ready money, or for want thereof deliver his Ticket, to be satisfied upon his Entertainment. *Extortion, &c. upon a March.*

8. No man that carries Armes, or pretends to be a Souldier, shall remaine three dayes in the Army, after it is on foot, except he be inrolled in some Company, upon paine of death. *Persons not inrolled in the Army.*

9. No man shall faile immediately to repaire unto his Colours (except upon evident Necessity) when an Allarme is given, upon paine of death. *Not repairing to the Colours.*

10. No Officer or Souldier what soever shall have conference or Intelligence with any Enemie, or Rebell, that is in open Action against his Majestie, *Holding intelligence with, or Relieving the Enemie.*

Maieſtie, or Harbour, or Receive any ſuch within the Campe, or in any Towne, Fort, Caſtle, or Garriſon, or ſhall ſend, or procure to be ſent, any Victuall, Amunition, or other Reliefe to any Enemy, or Rebell in Action; Neither ſhall doe any other thing to the danger, or prejudice of the Armie; or being acquainted therewith, ſhall conceale the ſame from the chiefe Officer, upon Paine of death: Onely ſuch as ſhall be avowed, and warranted thereunto by me, or thoſe that command the Armie in my Abſence, may ſpeake, conferre, have Intelligence, or converſe with the Enemy, or Rebell, for the Advantage of His Majeſties Service.

Revolting to the Enemie

11. No man ſhall runne to the Enemy, or Rebell, that is in Action; or Depart the Army, from the Garriſon, or Colours, without licence, upon paine of death.

Departing from Captaine.

12. No Souldier ſhalt depart from his Captaine without Licence, though he ſerve ſtill in the Army, upon paine of death.

Entring, or going out of the Campe by unuſuall wayes.

13. No man ſhall enter, or goe out of the Army, or Garriſon, but by ordinarie wayes: upon paine of death.

Watch word.

14. No man ſhall make knowne the *Watchword* to the Enemy, or any other, but by Order; nor give any *Word*, other than is given by the Officer, on paine of death.

Sentinell and Watch.

15. No man being ſet Sentinell by his Officer, ſhall Sleepe, depart or forſake his place, without being Relieved, or drawne of by the Officer that placed him; Nor any other Perſon being placed

placed upon his *Watch*, shall neglect his Duty Commanded by his Officer, upon paine of death.

Drawing sword after the Watch set.

16. No man shall presume to draw his Sword, without order, after the watch is set, upon paine of death.

False Alarm or Noyse in the night.

17. No man shall give a false Alarme, or discharge a peece in the night, or make any noyse without lawfull cause, upon paine of death.

Murther or private quarrell.

18. No man shall commit any Murther, or Kill any Person, or draw Bloud of any, or draw any Sword in private Quarrell, with intent to offer violence within the Campe, or Garrison, upon paine of death.

Officers of the Watch suffering Duells.

19. No Corporall, or other Officer, Commanding the Watch, shall wittingly suffer a Souldier to goe forth to Private Fight, upon paine of dearth.

Seditious words.

20. No person shall rehearse seditious Words in the presence of private Souldiers without Order, upon paine of death,

Vnlawfull Assembly.

21. No persons shall make any unlawfull Assembly, or be present or Assisting thereunto, upon paine of death.

Mutinous Demand of Pay.

22, No man shall Demand Money, with an unlawfull Assembly, or by other way, tending to Mutinie more especially, upon Marching towards an Enemy, or upon the Execution of any Enterprize, on paine of death.

Abuse to bringers in of Victuall.

23. No man shall Out-rage, or doe any violence to any that comes to bring Victualls to the Army or Garrison, upon paine of death

Deceit in Victuall, or Ammunition.

24. No provider, Keeper, or Officer of His Ma-

Majesties Victuall, or Ammunition shall wilfully corrupt, or imbeazell any part thereof, or give any false Acount to the Lieutenant Generall, with a purpose to deceive His Majestie, or to hinder the Service, upon paine of death.

False Musster. 25. No Souldier in Musters shall answere for an other, or take two Payes, or Muster in a false name to defraud His Majestie, upon paine of death.

Spoyle, or Sale of Ammunition, Selling or pawning of Armes. 26. No person shall Sell, Spoyle, or Carry away any Ammunition, upon paine of death.

27. No Souldier shall Sell, or lay to Pawne his Horse, or Hackney, or any part of his Furniture, Armes, or Apparell, for any Respect, or pretence of want whatsoever, upon paine of death.

Robbery, or Stealth. 28. No man shall Steale, or take by Force any Treasure, Victuall, or Ammunition, of His Majesties; Or take by Force, or Steale from any Person, any Money, Armes, Apparell, or other Goods, being above the value of twelve pence, in Marching, Campe, or Garrison, upon paine of death.

Betraying Castles, Forts &c. 29. No man shall deliver any Towne, Castle, Fort, or Sconce, without warrant; or Depart from any Strait, or Passage, which he is Commanded to make good; or take Pasport of the Enemy, or any Rebell in Action; or make any ingominicious Composition with the Enemy, or Rebell in Action, upon paine of death.

Flying from Colours, &c. 30. No man shall throw away his Armes, or Abandon his Ensigne, Cornet, or Guidon, or Fly away in any Battaile, or Skirmish, upon paine of death.

30. No

31. No man ſhall depart a mile out of the Armie, or Campe, without licence, upon paine of death. *Departing a mile from the Armie.*

32. No Souldier ſhall breake his Order, to follow Rout, or Chaſe, or to ſeeke any Prey, or Spoyle, except he be Commanded by ſuch as have authority, or further then he is ſo Commanded upon paine of death. *Breach of Order in Chaſe, &c.*

33. No Officer or Souldier, whenſoever any Prey, or Spoyle ſhall be taken from the Rebells, either when the Army is in the Field, or by any Reſiding in the Garriſon ſhall attempt to imbeazell, or purloyne any part thereof, but ſhall endeavour themſelves to the utermoſt of their powers, to keepe the ſame together, to be diſpoſed at the direction of me the Lieutenant Generall, or any other by me thereunto Authorized, upon paine of death. *Purloyning of Prey, or Spoyle.*

34. No Captaine, Officer, or Souldier, or any other that ſhall take any priſoner, ſhall preſume to deliver him upon any Ranſome, or Conceale him, but within Foure and Twenty houres, he ſhall make the ſame knowne unto me, or other Chiefe Commander, and deliver the ſame priſoner under the Charge of the Provoſt Marſhall, upon paine of death. *Ranſoming of Priſoners.*

35. No man ſhall Raviſh, or Force, any Woman, upon paine of death. *Rape.*

36. No Souldier ſhall Burne any Houſe, or Lodging, or Burne, or wilfully Spoile, any Corne, Ship, or Boate, or Carriage, or any other thing, that may Serve for the Proviſion of the *Burning of Houſes, corne, &c.*

Armie, or his Garriſon, without he be Commanded ſo to doe by me or ſome Principall Officer of the Armie, upon Paine of death.

Reſiſting Provoſt Marſhalls, or other Officers.

37. No man ſhall Reſiſt, or Offend any Provoſt Marſhall, or other Officer in the Execution of his Office, by reſcuing Offenders, upon Paine of death.

Breaking of Priſon.

38. No man that is Committed, ſhall breake Priſon, upon Paine of death.

Adultery.

39. No man ſhall Commit Adultery, or Fornication, upon Paine of Impriſonment, Baniſhment from the Armie, or ſuch other Penaltie, as by the Marſhalls Court ſhall be thought meet.

Violence.

40. No man ſhall Beat, Threaten, or diſhoneſtly touch any Man, Woman, or Child, upon Paine of Puniſhment, according to the quality of the offence.

Boyes or Women.

41. No Souldier, ſerving on Foot, ſhall carrie any Boy, nor any Woman ſhall be ſuffered to follow the Armie, upon Paine of ſuch puniſhment, as ſhall be inflicted by me the Lievtenant Generall, or other officer.

Drunkennes.

42. Every Souldier, or Officer, that ſhall be found drunk, ſhall be committed to Priſon for the firſt offence, and if he fall into the Second time, being a private Souldier, he ſhall, beſides his Impriſonment, forfeit two moneths Pay: If he be an Officer, He ſhall looſe his place. The third time, a Common Souldier, ſhall have ſuch greater Puniſhment, as a Marſhall Court ſhall order.

Affronts and Challenges.

43. No man ſhall give any Digraceſull words or Commit any Act, to the Diſgrace of any perſon

ſon in the Armie, Garriſon, or any part thereof upon Paine of Impriſonment, Publike Diſarming, and Baniſhment from the Armie, as men for ever diſabled to Carrie any Armies. And as I doe forbid all meu under my Command to renew any old Quarrells, or to begin any new; So I doe acquit and diſcharge all men that have Quarrells offered, or Challenge made to them, of all Diſgrace, or Opinion of any diſadvantage ſince they doe but the duties of Souldiers, which ought to ſubject themſelves to Marſhall Diſcipline. And they that Provoke them, ſhall be Proceeded with all, as Breakers of good Diſcipline, and Enemies to the good Succeſſe of the Service,

Weake Companies.

44. No Captaine ſhall through Corruption, or wilfull, or groſſe negligence ſuffer his Company to grow weake, upon Paine of Impriſonment, loſſe of his Place, and ignominous Baniſhment from the Armie.

Deceit in Muſters.

45. No Captaine, Lieutenant, or other Officer of the Armie ſhall in the Tender, or Preſentment of their Muſters, Uſe any Fraud, Practiſe, or Deceit, whereby the Muſter-maſter, his Deputies, or the Commiſſaries, may be miſled miſtaken, or Prevented of the due underſtanding of the true Eſtate of that Company, upon Paine of loſſe of his Place, and ſuch other Ignominious Puniſhment, as by a Marſhalls Court ſhall be thought meet.

Vnequall Cheques.

46. No Muſter-Maſter ſhall either for Favour Friendſhip, or other by reſpect whatſoever, im-

impoſe a leſſe, or greater Cheque upon the Captaine, or Officer, then his Default ſhall juſtly merit, or any Cheque at all, where no Defect, or Default, ſhall appeare upon due view taken of the Company; and that no Cheque ſhall be impoſed by Diſcretion without View, upon paine that every offender, who ſhall be found to tranſgreſſe in all, or any part of this Article, ſhall forfeit his place which he holdeth, and be further ſubject to ſuch Corporall, or Pecuniary puniſhment, as by the Diſcretion of a Marſhall Court ſhall be thought convenient.

Cheques without view.

Defects certified, not Supplyed.

47 Every Captaine ſhall have a Liſt of all the Defaults in Apparell, Armes, or Trayning, Certified by the Muſter-Maſter, or the Commiſſaries Authorized for Muſters, ſent unto him, Atteſted under their hands: whereupon the ſaid Captaine ſhall preſently take Order, that the ſame be fully Supplied, before the Muſter then next enſuing ſuch notice given him thereof; and every Captaine failing in his Duty herein, ſhall, for the Firſt Neglect, have one Months Pay defalked out of his Entertainment. And if he continue the ſaid Neglect without Amending, and Supplying the ſame, he ſhall be diſcharged of his Place, and Command.

Neglect in Trayning.

48 All Captaines ſhall be diligent in Training their Companies, and ſhall be carefull in Governing them well, and in providing for them according to the Orders Publiſhed for the Muſters; and alſo, ſhall ſee in all Services, that they doe the Duties of Souldiers, as they will hope for

for Favour or Advancement, or escape ignominious Displacing from their Charges.

49. No Souldier shall appeare with his Armes Un-Fixt, or Un-Decently kept, upon paine of punishment, according to the Officers good Discretion. *Armes Unfixt.*

50. No Souldier shall come, not fully Armed, to his Colours, being to Watch, or to be Exercised, upon paine of being punished, according to Discretion. *Defect of Armes.*

51. No Captaine, or Officer, shall without expresse Licence, in that behalfe signified, remaine, or abide forth of his Place, Assigned unto him by me for his Garrison, upon paine of death. *Non-Residence in Garrison.*

52. All Captaines, or other Officers, that for the time, shall have Command of Troope, or Company, shall see them Orderly quartered, as they are appointed, and as they are Commanded, upon paine of the Losse of their Places. *Orderly quarter.*

53. Every Private man, and Souldier, upon paine of Imprisonment, shall keepe Silence, when the Armie is to take Lodging, or when it is Marching, or Imbattailling, so as the Officers may be heard, and their Commandements executed. *Silence.*

54. No man shall Spoile, or take the Goods of any that Dyeth, or is Killed in Service, upon paine of Restoring double the Value: But the Goods of such as die in the Armie, or Garrison, if they make any Will by Word, or Writing, shall be disposed of, according to their Will. If they make no Will; shall be distributed to the *Goods of the dead.*

Hurt, ſick, and Poore, of the Company, whereof the Souldier was; or ſhall goe to the Hoſpitall of the Army.

Buying, or taking to Pawne of Armes.

55 No Inhabitant in Towne, or Countrey, ſhall preſume to Buy, or take to Pawne, any Horſe, or Hackney of any Souldir, or any part of his Furniture, Armes, or Apparell, for any reſpect, or pretence whatſoever, upon paine of forfeiting the double value thereof, and to ſuffer Impriſonment, untill he ſhall reſtore the Goods ſo unduely Bought, or taken in Pawn.

Looſing of Armes by Negligence.

56 If any Horſeman ſhall loſe his Horſe, or Hackney; or Footman, any part of his Armes by Negligence, or Lewdneſſe, whereby he ſhall be unable to diſcharge the Durie of his Place, then untill he ſhall recover the ſame, or furniſh himſelfe with as good, he ſhall remaine in the ſtate and condition of a Pioner, or ſuſtaine further puniſhment at my Diſcretion, or other Officer thereunto authorized.

Unwholeſome Victualls.

57 No Victualer ſhall preſume to iſſue, or ſell unto any of the Army, unſound, unſavorie, or unwholeſome Victuals, upon paine of Impriſonment and ſuch other puniſhment, as by a *Marſhall Court* ſhall be thought fit to be impoſed on him, or them, that ſhall ſo offend.

Unſeaſonable houres at Victualling houſes.

58 No Victualer ſhall entertaine Souldiers at unſeaſonable Houres, upon paine of being ſeverely puniſhed.

Sonldiers not to be Victuallers.

59. No Souldier ſhall be a Victualler, without the conſent of the Chiefe of the Army, on paine of puniſhment according to Diſcretion.

60 No

60 No Captaine ſhall give Paſport to any Offices, or Souldier under his Command without my leave. *Captaines not to give Paſport.*

61. No Captaine, or other Officer of the Army ſhall diſcharge, or Caſhier, any Souldier entred in His Majeſties Lift of this His Army, without my Privitie and allowance, and my ſpeciall Warrant in that behalfe: unleſſe it be by the privitie and allowance of the Officers of the Muſters upon the Publike dayes of Muſter. *Caſheering of Souldiers.*

62. No inhabitant of Citie, Towne, or Countrey, ſhall preſume to receive any Souldier into their Service, not having ſufficient Authoritie, neither ſhall any conceale, or hide any ſuch Run-away, or uſe meanes to convey them out of the Kingdome, or to any other ſecret Place, but ſhall apprehend all ſuch, and deliver them over to the Provoſt Marſhall, upon paine of Impriſonment, as ſhall be thought fit by the chiefe Commander to be inflicted. *Entertaining Run-awayes.*

63. All Captaines, Officers, and Souldiers, ſhall doe their indeavours to detect, Apprehend, and bring to Puniſhment all Offenders, and and ſhall aſſiſt the Officers of the Army for that Purpoſe, as they will anſwer their Slackneſſe, and be cenſured in the Marſhalls Court. *Detecting, &c. of Offenders.*

64. All other Faults, Diſorders, and Offences, that are not mentioned in theſe Articles, ſhall be Puniſhed according to the Generall cuſtomes, and Lawes of Warre: and therefore it is by me commanded, that all men looke to their charge, and he that hath no charge, to looke to his owne carri- *Faults in generall, provided againſt.*

carriage, as he will answer the contrary.

65. Finally, the Marshall of the Armie, the Iudge Marshall, the Captaines of Horse and Foot in His Majesties Pay, and all other His Majesties Officers in this Kingdome, whom it may concerne, are hereby required to observe these Lawes, and to see them put in due Execution from time to time.

These Lawes and Orders I require every Captaine in the Armie to cause to be read in the head of their severall Companies forthwith, and the chiefe Officers of every Regiment are required to see to the carefull performance and observation aswell of his Direction, as of all the said Lawes and Orders.

Ormond Ossery.

FINIS.